

EXHIBIT 5

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF
OHIO EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

All Cases

)
)
) MDL No. 2804

)
) Case No. 17-md-2804

)
)
) Hon. Dan Aaron Polster
)
_____)

**ALLERGAN'S SECOND AMENDED WRITTEN RESPONSES TO TOPICS 1, 2, AND 45
IDENTIFIED IN PLAINTIFFS' AMENDED NOTICE OF DEPOSITION PURSUANT TO
RULE 30(B)(6)**

Allergan hereby provides the following amended responses and objections to Topics 1, 2, and 45 of Plaintiffs' Amended Notice of Deposition Pursuant to Rule 30(b)(6). Allergan hereby incorporates all objections set forth in its August 24, 2018 Amended Responses and Objections to Plaintiffs' Amended Notice of Deposition Pursuant to Rule 30(b)(6) and Document Request Pursuant to Rule 30(b)(2) and Rule 34 and its October 22, 2018 Second Amended Responses and Objections to Plaintiffs' Amended Notice of Deposition Pursuant to Rule 30(b)(6) and Document Request Pursuant to Rule 30(b)(2) and Rule 34, to the extent not overruled by the court or separately agreed-to.

**Affirmation That Discovery Responses Herein Are Submitted On Behalf of All Current
Allergan Entities And Include Information Collected About Prior Affiliates No Longer
Owned by Allergan**

These responses are made on behalf of Allergan Finance, LLC and Allergan plc -- a foreign corporation which has not been served (collectively Allergan).¹ Allergan confirms that it's

¹ In an order entered November 9, the Court lifted the stay on service of foreign entities, noting at a telephonic hearing that foreign parents including Allergan plc were deemed to be parties in the case. Allergan plc objects to the lack of

previous and ongoing discovery investigation and production of documents -- regarding Kadian®, Norco®, and generic opioids manufactured and/or sold by the Actavis Generics Entities sold to Teva (and where appropriate, “opioids generally” or unbranded marketing) -- has included all responsive documents and information reasonably accessible to all of its current affiliates, including Allergan plc.

WRITTEN RESPONSES TO DEPOSITION TOPICS

TOPIC NO. 1: The Persons holding executive level positions in Your sales, Marketing, research and development, compliance, budgeting, and finance divisions. This includes the identity of the Persons who lead Your divisions (or other organizational unit) in the following areas or positions (or title equivalent to the following categories):

- (a) Chief Executive Officer;
- (b) Chief Financial Officer;
- (c) Chief Operating Officer;
- (d) General Counsel;
- (e) Sales;
- (f) Marketing;
- (g) Compliance;
- (h) Sales or Marketing Training;
- (i) Government Affairs;
- (j) Medical Director; and
- (k) Research and Development.

due process and to the Court’s refusal to allow briefing contesting personal jurisdiction on behalf of a foreign entity not subject to jurisdiction in this Court.

JULY 11, 2018 RESPONSE TO TOPIC NO. 1: Allergan incorporates by reference the General Objections, Objections to Instructions and Objections to Definitions. Allergan further objects to this Request to the extent it seeks information more appropriately sought through written interrogatories, document requests, or other forms of discovery that are less burdensome and more appropriate vehicles for the information sought.

Subject to and without waiving its objections, Allergan will designate a witness to testify regarding the identity of the primary executives at Actavis, Inc., Watson Pharmaceuticals, Inc. and Allergan, LLC, to the extent this information is reasonably available.

AUGUST 24, 2018 AMENDED RESPONSE TO TOPIC NO. 1: Allergan incorporates by reference the General Objections, Objections to Instructions and Objections to Definitions. Allergan further objects to this Request to the extent it seeks information more appropriately sought through written interrogatories, document requests, or other forms of discovery that are less burdensome and more appropriate vehicles for the information sought.

Subject to and without waiving its objections, Allergan will provide a written response identifying the primary executives at Allergan to the extent this information is reasonably available.

SEPTEMBER 14, 2018 WRITTEN RESPONSE TO TOPIC NO. 1: Allergan, LLC incorporates by reference all objections set forth in its August 24, 2018 Amended Responses and Objections to Plaintiffs' Amended Notice of Deposition Pursuant to Rule 30(b)(6) and Document Request Pursuant to Rule 30(b)(2) and Rule 34.

Subject to and without waiving its objections, based on Allergan, LLC's reasonable investigation, the following individuals are or were the primary executives at Allergan, LLC in the following categories at the specified time period:

Watson Pharmaceuticals, Inc.

- (a) Chief Executive Officer: Allen Chao (1999-2008), Paul Bisaro (2008-2012)
- (b) Chief Financial Officer: Michael Boxer (1999-2002), Charles Slacik (2003-2007), Mark Durand (2008-2009), R. Todd Joyce (2010-2012)
- (c) Chief Operating Officer: Fred Wilkinson (1999-2000), Joseph Papa (2001-2004), Robert Stewart (2010-2012)
- (d) General Counsel: Robert Funsten (1999-2001), David Buchen (2002-2012)
- (e) Sales: Lynne Amato (1999, 2003-2009), Carolyn Logan (1999), Andy Boyer (2003-2012), Tim Callahan (2010-2012)
- (f) Marketing: Lynne Amato (1999, 2003-2012), Carolyn Logan (1999), Andy Boyer (2003-2012)
- (g) Compliance: Roberta Loomar (2008-2010), Deborah Penza (2011-2012)
- (h) Sales or Marketing Training: None
- (i) Government Affairs: G. Thomas Long (2004-2010), Charlie Mayr (2011-2012)
- (j) Medical Director: Gary Kozloski (2001-2012)
- (k) Research and Development: Charles Ebert (1999-2012), Francois Menard (2007-2012)

Actavis, Inc.

- (a) Chief Executive Officer: Paul Bisaro (2013-2014), Brent Saunders (2015-2016)
- (b) Chief Financial Officer: Todd Joyce (2013-2014), Tessa Hilado (2015-2016)
- (c) Chief Operating Officer: Robert Stewart (2013-2016)
- (d) General Counsel: David Buchen (2013-2014), A. Robert D. Bailey (2015-2016)
- (e) Sales: Andy Boyer (2013), Tim Callahan (2013), Siggi Olafsson (2013-2014), William Meury (2015-2016)
- (f) Marketing: Andy Boyer (2013), Lynne Amato (2013), Siggi Olafsson (2013-2014), William Meury (2015-2016)
- (g) Compliance: Debra Penza (2013-2014), Joseph Zimmerman (2014), Jonathon Kellerman (2015-2016)
- (h) Sales or Marketing Training: None
- (i) Government Affairs: Charlie Mayr (2013-2014), Alex Kelly (2015-2016)

- (j) Medical Director: Gary Kozlowski (2013), Gavin Corcoran (2014-2016)
- (k) Research and Development: Chuck Ebert (2013-2014), Hafrun Fridriksdottir (2013-2014), David Nicholson (2015-2016)

Allergan, LLC

Allergan, LLC's management structure is set forth in the attached Second Amended and Restated Operating Agreement of Allergan, LLC (ALLERGAN_MDL_SUPP_00000326). This Operating Agreement identifies the following officers and positions:

Name of Officer	Office
A. Robert D. Bailey	President
Matthew M. Walsh	Vice President
Jonathon Kellerman	Vice President
Karen Ling	Vice President
Alex Kelly	Vice President
William Meury	Vice President
Sigurd Kirk	Vice President
Marc Princen	Vice President
James D'Arecca	Vice President
Sean Lennon	Vice President
David Nicholson	Vice President
Lynne Bolduc	Vice President
Thomas Poche	Vice President
Brian Anderson	Vice President
Riccardo Mancuso	Vice President
Martin Shindler	Vice President

Wayne Swanton	Vice President
Stephen M. Kaufhold	Treasurer
Kira Schwartz	Secretary
Judith Tomkins	Assistant Secretary

TOPIC NO. 2: The identity of Your Board of Directors and the composition and responsibilities of any Board committees, task forces, or working groups comprised of Board members related to Opioids or Opioid Products.

JULY 11, 2018 RESPONSE TO TOPIC NO. 2: Allergan incorporates by reference the General Objections, Objections to Instructions and Objections to Definitions. Allergan further objects to this Request to the extent it seeks information more appropriately sought through written interrogatories, document requests, or other forms of discovery that are less burdensome and more appropriate vehicles for the information sought.

Subject to and without waiving its objections, Allergan will designate a witness to testify regarding the identity of the Board of Directors at Actavis, Inc., Watson Pharmaceuticals, Inc. and Allergan, LLC, as well as a general description of any committee or other such subdivision focused on opioids, to the extent this information is reasonably available.

AUGUST 24, 2018 AMENDED RESPONSE TO TOPIC NO. 2: Allergan incorporates by reference the General Objections, Objections to Instructions and Objections to Definitions. Allergan further objects to this Request to the extent it seeks information more appropriately sought through written interrogatories, document requests, or other forms of discovery that are less burdensome and more appropriate vehicles for the information sought.

Subject to and without waiving its objections, Allergan will provide a written response identifying the Board of Directors at Allergan, as well as a general description of any committee or other such subdivision focused on opioids, to the extent this information is reasonably available.

SEPTEMBER 14, 2018 WRITTEN RESPONSE TO TOPIC NO. 2: Allergan, LLC incorporates by reference all objections set forth in its August 24, 2018 Amended Responses and Objections to Plaintiffs' Amended Notice of Deposition Pursuant to Rule 30(b)(6) and Document Request Pursuant to Rule 30(b)(2) and Rule 34.

Subject to and without waiving its objections, the following individuals were members of Watson Pharmaceuticals, Inc.'s Board of Directors: Paul Bisaro (2007 - 2012), Christopher Bodine (2009 - 2012), Allen Chao (1983 - 2009), Michael Fedida (1995 - 2012), Michael Feldman (1985 - 2012), Albert Hummel (1986 - 2012), Alec Keith (1991 - 2000), Catherine Klema (2004 - 2012), Jack Michelson (2002 - 2012), Melvin Sharoky (1995 - 1998), Anthony Tabatznik (2009 - 2012), Ronald Taylor (1994 - 2012), Andrew Turner (1997 - 2012), and Fred Weiss (2000 - 2012). The following individuals were members of Actavis, Inc.'s Board of Directors: Paul Bisaro (2013-2014), Christopher Bodine (2013-2014), Michael Fedida (2013-2014), Michael Feldman (2013-2014), Albert Hummel (2013-2014), Catherine Klema (2013-2014), Jack Michelson (2013-2014), Ronald Taylor (2013-2014), Andrew Turner (2013-2014), and Fred Weiss (2013-2014). Allergan, LLC does not have a Board of Directors. Allergan, LLC instead has a two-person Board of Managers that is comprised of A. Robert D. Bailey and Matthew M. Walsh. Given the *de minimus* volume of opioid sales by each of these companies, none of these Boards have committees or other such subdivisions focused on opioids.

TOPIC NO. 45: Identification of all databases regarding your Marketing activities, including, but not limited to, databases reflecting all Your Marketing, promotional, and advertising

costs and expenditures, databases reflecting Your ROI of Marketing activities, databases containing Your prescriber profiles and practices, and databases reflecting Your analysis of third party data (including from IQVIA Holdings, Inc.; IMS Health; QuintilesIMS; IQVIA; Pharmaceutical Data Services; Source Healthcare Analytics; NDS Health Information Services; Verispan; Quintiles; SDI Health; ArcLight; Scriptline; Wolters Kluwer; and/or PRA Health Science, and all of their predecessor or successor companies, subsidiaries, or affiliates).

JULY 11, 2018 RESPONSE TO TOPIC NO. 45: Allergan incorporates by reference the General Objections, Objections to Instructions and Objections to Definitions. In addition, Allergan objects to this Topic to the extent it purports to call for information regarding several broad subject matters.

Subject to and without waiving its objections, Allergan agrees to designate a witness to testify regarding a general description of the databases from which Allergan is collecting and producing data.

AUGUST 24, 2018 AMENDED RESPONSE TO TOPIC NO. 45: Allergan incorporates by reference the General Objections, Objections to Instructions and Objections to Definitions. In addition, Allergan objects to this Topic to the extent it purports to call for information regarding several broad subject matters.

Subject to and without waiving its objections, Allergan agrees to provide a written response containing a general description of the databases from which Allergan is collecting and producing data.

SEPTEMBER 14, 2018 WRITTEN RESPONSE TO TOPIC NO. 45: Allergan, LLC incorporates by reference all objections set forth in its August 24, 2018 Amended Responses and

Objections to Plaintiffs' Amended Notice of Deposition Pursuant to Rule 30(b)(6) and Document Request Pursuant to Rule 30(b)(2) and Rule 34.

Subject to and without waiving its objections, Allergan, LLC provides the following description of the marketing databases from which Allergan, LLC is collecting and producing data:

Database	General Description
Current Porzio system	Searching and producing information from this database, which includes information such as payments made to health care providers. This is the current instance of the database.
Legacy Porzio System	Searching and producing information from this database, which includes information such as payments made to health care providers. This is the instance of the database that was used by the combined Actavis/Watson entity prior to the combination with Allergan.
Document Management Database	Searching and producing marketing and training information from this database.
IMS Data	Producing information obtained from IMS regarding sales of opioids from the following products: NSP, NPA, NPA Extended Insights, NPA Weekly, NPA Weekly Extended Insights, IPS, NDTI, XPONENT and XPONENT PLANTRAK

Date: November 16, 2018

Respectfully submitted,

/s/ Timothy W. Knapp

Jennifer G. Levy, P.C.
KIRKLAND & ELLIS LLP
655 Fifteenth Street, N.W.
Washington, D.C. 20005
Telephone: (202) 879-5000
Facsimile: (202) 879-5200
jennifer.levy@kirkland.com

Donna Welch, P.C.
Martin L. Roth
Timothy W. Knapp
KIRKLAND & ELLIS LLP
300 North LaSalle, Chicago, IL 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200
donna.welch@kirkland.com
rothm@kirkland.com
tknapp@kirkland.com

*Attorneys for Defendant Allergan Finance, LLC
f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals,
Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on November 16, 2018, the foregoing was sent by electronic mail to counsel for the Plaintiffs and Defendants as follows:

Liaison Counsel for Plaintiffs

Peter Henry Weinberger
SPANGENBERG SHIBLEY & LIBER LLP
1001 Lakeside Avenue East Suite 1700
Cleveland, OH 44114-1149
Telephone: (216) 696-3232
pweinberger@spanglaw.com

Steven J. Skikos
SKIKOS CRAWFORD SKIKOS & JOSEPH
One Sansome Street, Suite 2830
San Francisco, CA 94104
Telephone: (415) 546-7300

Troy A. Rafferty
LEVIN PAPANTONIO THOMAS MITCHELL RAFERTY & PROCTOR PA
316 S. Baylen Street Suite 600
Penascola, FL 32502
Telephone: (805) 435-7000
trafferty@levinlaw.com

Liaison Counsel for Defendants

Mark Cheffo, Esq.
QUINN EMANUEL
51 Madison Avenue
New York, NY 10010
markcheffo@quinnemanuel.com

Carole S. Rendon
BAKER & HOSTETLER LLP
Key Tower 127 Public Square, Suite 2000
Cleveland, OH 44114-1214
Telephone: (216) 621-0200
Fax: (216) 696-0740
crendon@bakerlaw.com

Shannon E. McClure
REED SMITH LLP
Three Logan Square
1717 Arch Street, Suite 3100

Philadelphia, PA 19103
Telephone: (215) 851-8100
Fax: (215) 851-1420
smcclure@reedsmith.com

Enu Mainigi
WILLIAMS & CONNOLLY
725 Twelfth Street, NW
Washington, DC 20005
emainigi@wc.com

Geoffrey E. Hobart
COVINGTON & BURLING
One City Center
850 Tenth Street, NW
Washington, DC 20001
ghobart@cov.com

Kaspar Stoffelmayer
BARTLIT BECK
54 West Hubbard Street, Ste 300
Chicago, IL 60654
kaspar.stoffelmayer@bartlit-beck.com

Tina Tabacchi
JONES DAY
77 West Wacker Drive
Chicago, IL 60601
tmtabacchi@jonesday.com

Tyler Tarney, Esq.
GORDON & REES
41 S. High Street, Suite 2495
Columbus, OH 43215
ttarney@grsm.com

/s/ Timothy W. Knapp
Timothy W. Knapp
KIRKLAND & ELLIS LLP
300 North LaSalle, Chicago, IL 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200
tknapp@kirkland.com

*Attorney for Defendant Allergan
Finance, LLC, LLC f/k/a Actavis, Inc.
f/k/a Watson Pharmaceuticals, Inc.*